

PHOTO CREDIT: UNIVERSITY OF CALIFORNIA, DAVIS

CEQA

The California Environmental Quality Act

CASE STUDY

Impact on Equity and Environmental Justice

SACRAMENTO, 2021

Aggie Square

Thanks to CEQA, Campus and Innovation Center Provides Local Jobs, Affordable Housing

The CEQA process gave voice to a community's concerns about a major campus and innovation center planned for Sacramento. Through the CEQA litigation process, stakeholders significantly improved the project to benefit all parties.

The City of Sacramento approved a UC Davis extension project that would bring substantial housing construction and economic investment to Sacramento. A community coalition, Sacramento Investment Without Displacement (SIWD), sued the city over concerns that the project would cause gentrification and would displace existing residents. Over the course of more than 90 stakeholder

and community meetings, residents spoke out and spurred the creation of a Community Benefits Partnership Agreement. This agreement provides money to build affordable housing and infrastructure and stabilize housing costs. It guarantees that local residents get priority for both the entry-level and the higher-wage jobs that will be created by this project.

The agreement also includes better transportation options, youth education programs, and more. The City of Sacramento will gain thousands of new, good-paying jobs and a significant boost to its housing stock.

SOURCE: MATT BAKER, PLANNING AND CONSERVATION LEAGUE

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CALIFORNIA
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JUSTICE ALLIANCE

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PHOTO CREDIT: EDWARD SMITH



Impact on **Equity and Environmental Justice**

SOUTH FRESNO, 2018–PRESENT

Amazon Warehouse Expansion

Safeguarding School Children and Public Health Using CEQA

The community of South Fresno, predominantly populated by low-income people of color, is the most environmentally burdened neighborhood in all of California. Located just outside the city limits, community members have no voice on the city council, and development decisions by the city have polluted their air and water and destabilized their housing market. This community used CEQA to protest a planned warehouse expansion that would have drastically increased air, water and noise pollution and traffic safety issues in their community, including at an elementary school. As a result, the developer and the city made significant concessions, including establishing a community benefit fund for home improvements to mitigate impacts, committing to developing a pedestrian and bicycle safety plan,

conducting and implementing a traffic study to reduce the impact of new truck and van traffic, extending city water and wastewater services to the affected community, providing a construction liaison to deal with problems during the project's construction phase, taking steps to facilitate third-party air quality monitoring, and providing funds for workforce development so the new warehouse creates local jobs. By using CEQA as a tool to ensure their voices were heard, community members have convinced the City of Fresno to move forward with a specific plan to address land use decisions in a systematic way and meaningfully address public health and housing stability in the long term.

SOURCE: ASHLEY WERNER, LEADERSHIP COUNSEL FOR JUSTICE AND ACCOUNTABILITY

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SAN PEDRO, 2003

China Shipping Co. and 22nd Street Park

Reducing Air and Noise Pollution, Creating Community Green Space While Supporting Economic Growth

The ports of Los Angeles and Long Beach form the largest port complex in the nation. They fuel significant job growth and economic activity in the region, but they also create massive amounts of air and noise pollution, including from idling ships and from the diesel trucks hauling goods to and from the port, often through low- and middle-income communities such as San Pedro, Wilmington, and Long Beach. When a new shipping terminal was being built by the city, to be leased to the China Shipping Company, nearby residents feared the terminal would inundate their neighborhoods with round-the-clock truck traffic and air pollution. The terminal was going up within 500 feet of San Pedro homes.

In 2003, the port and city of Los Angeles settled a CEQA lawsuit brought by a coalition of community,

environmental and social justice groups. The settlement secured funding to mitigate impacts of the new terminal, including reducing air pollution from port operations, a program to get older trucks off the road, and the replacement of four 16-story-high cranes with lower-profile cranes. The precedent set by this settlement later led to the creation of the 22nd Street Park in San Pedro, which provided a much-needed greenspace and outdoor gathering place for residents. The CEQA process brought both sides to the table to work on common goals, and it empowered environmental justice communities to influence local land use and development decisions.

SOURCE: DANIAL NORD, RESIDENTS FOR AN EQUITABLE SAN PEDRO COMMUNITY TODAY

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MILLBRAE, 2014-2016

Millbrae Station Area Specific Plan Update

Pairing Growth with Local Benefits at a Major Transportation Hub

Millbrae Station is a multi-modal transit station on the San Francisco Peninsula. The City of Millbrae sets the long-term vision and standards for this station through a Millbrae Station Area Specific Plan. When the City embarked on the planning process for a major expansion of the Plan, 14 public agencies participated in the CEQA process to examine potential impacts on public health, the environment, and cultural resources.

This review process increased local benefits of the Plan, including the provision of affordable housing and public spaces, mitigation of air pollution, and expansion of

economic opportunity generators. By planning ahead and incorporating CEQA review into the project development process, the City minimized costs (environmental review came to just 0.025% of the project costs), streamlined CEQA review of future sub-projects, promoted interagency collaboration, and achieved mitigation of public health and environmental impacts of this much-needed transportation, business, and housing project.

SOURCE: BAE URBAN ECONOMICS (2016). CEQA IN THE 21ST CENTURY. PP. 32-34.

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PHOTO CREDIT: ANTANDRUS AT ENGLISH WIKIPEDIA, CC BY-SA 3.0

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KERN COUNTY, 2018–PRESENT

Kern County Oil Ordinance

Prioritizing Farmland and Public Health Over Oil Companies

In passing an ordinance to allow a massive expansion of oil and gas drilling, Kern County leaders ignored the devastating air, water, and noise pollution and farmland loss this drilling would cause. King and Gardiner Farms took the county to court, using CEQA to compel the county to seriously consider the effects of the ordinance on agriculture, a major sector of the local economy. A coalition of social justice non-profits also sued the county under CEQA for failing to consider the dire public health effects that expanding fossil fuel extraction would have on already-overburdened low-income communities and communities of color.

The courts ruled in favor of the farmers and residents in 2020, demonstrating how CEQA can be used to protect

public health and local agriculture. Unfortunately, the county did not make any significant changes to their new environmental review of the project. In early 2021, the Board of Supervisors accepted the new review and passed the ordinance, over the objections of thousands of residents, a coalition of social justice groups, and King and Gardiner Farms.

Now the issue will go back to the courts, where CEQA will once again give the people a tool to stand up to deep-pocketed oil companies and defend their right to clean air, clean water, and healthy farmlands.

SOURCE: CHELSEA TU, CENTER ON RACE, POVERTY & THE ENVIRONMENT

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JURUPA VALLEY, 2013

Mira Loma Village

Protecting Public Health in Riverside County

On February 14, 2013, then-Attorney General Kamala Harris announced the settlement of a Riverside County CEQA case that alleged failure to adequately analyze and mitigate a project's impacts on residents of Mira Loma Village, who already faced serious health and environmental risks due to poor air quality. The proposed Mira Loma Commerce Center would have exposed residents already disproportionately affected by diesel exhaust and noise pollution to increased diesel truck traffic.

The project proponents and the lead agency (City of Jurupa Valley) agreed to a settlement that includes a number of groundbreaking elements, including adding

an Environmental Justice Element to the City's General Plan; installing air filtration systems in the homes of Mira Loma residents; air quality monitoring in Mira Loma Village; landscaping of the site to minimize exposure to diesel particulate emissions; and, making the project site "green" by including a 100kW capacity solar photovoltaic system, LEED Silver certified project buildings, and electric vehicle charging stations.

Harris stated she believed this project can be a model for "local governments, developers and communities to work together" in creating a thriving economy that does not cause public health to suffer.

SOURCE: CEQAWORKS.ORG

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Impact on Climate Change & Wildfire

ANAHEIM, 2010

Anaheim Regional Intermodal Transportation Center

Expanding Multi-Modal Transportation While Minimizing Impacts to Public Health

Facing a rapid growth trajectory in the region, the City of Anaheim developed plans for a major new multi-modal transportation center. The center would provide non-automobile transit options for commuters and other travelers, including commuter rail, buses, future High Speed Rail, and bicycles. A CEQA review identified construction impacts such as air quality, noise, hazardous materials and harm to cultural resources, and designated proven measures to mitigate these impacts.

The main adverse impact from ongoing operations at the Center would be increased traffic on nearby highways. This impact was considered unavoidable, so, given that

the benefits of the project would outweigh the traffic impact, this project impact did not derail the project. For this project, CEQA's role was to instigate a critical review of the project from a cost-benefit perspective, and mitigate those impacts to the extent possible.

The result was that Southern California supported greenhouse gas emissions reductions by building out regional transit options, while minimizing harm to public health and the environment.

SOURCE: BAE URBAN ECONOMICS (2016). CEQA IN THE 21ST CENTURY. P. 34.

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Impact on Climate Change & Wildfire

SAN BERNARDINO COUNTY, 2009-2010

Abengoa Mojave Solar Project

Streamlining a Major Solar Electric Project While Protecting Workers and Habitat

Healthy natural areas play a critical role in absorbing greenhouse gases and stabilizing the climate. A utility-scale solar electric project in the desert of San Bernardino County was fast-tracked through the CEQA process and now serves to slow climate change on two fronts: by increasing the share of renewable energy in California's electricity market, and by protecting the surrounding natural habitat and its cohort of native species.

The Abengoa Mojave Solar Project generates enough electricity to power 88,000 households a year. As a large-

scale solar project, it was eligible for an expedited CEQA process. Outcomes of this process included a program to assure worker safety and fire protection in this high wildfire-risk area; an assessment of potential impacts to low-income and communities of color; and measures to mitigate impacts to biological resources. Significantly, the project established and funded a conservation easement on the surrounding land.

SOURCE: SOURCE: BAE URBAN ECONOMICS (2016). CEQA IN THE 21ST CENTURY. P. 36.

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Impact on **Climate Change & Wildfire**

SANTA ROSA, 2010

Sutter Santa Rosa Regional Hospital

Hospital Required to Mitigate Greenhouse Gas Emissions

In 2010, TRANSDEF, along with fellow litigants the Sierra Club and the California Nurses Association, prevailed in challenging Sonoma County's approval of a new Sutter Hospital on the fringe of Santa Rosa. Their claim rested on the EIR's inadequate examination of increased greenhouse gas emissions resulting from auto travel to the new project.

After the litigants won a favorable ruling, the County agreed to require Sutter Hospital to provide a free shuttle to the hospital from the nearest commuter rail station in addition to constructing a bike lane and

providing free transit passes to employees. The facilities earned Leadership in Energy and Environmental Design (LEED) Gold certification, the first new, ground-up-built hospital in California to gain the honor. "Gold" ranks as the second-highest certification under the U.S. Green Building Council's rating system.

Thanks to CEQA, stakeholders with concerns about the project were able to bring about significant changes that reduced the environmental impacts of the facility.

SOURCE: CEQAWORKS.ORG


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Impact on Environmental Protection

SAN FRANCISCO, 1998-PRESENT

Mission Bay Housing Project

Protecting the San Francisco Bay from Sewage Overflows

When the Catellus Development Corporation planned the Mission Bay Project, it was to consist of thousands of housing units, a 43-acre UC campus, and millions of square feet of office space. The project planned to hook into the City of San Francisco's combined sewage system. The additional sewage from the proposed Mission Bay Project would have increased sewage overflows by 2 million gallons per rainy season.

After environmental groups raised concerns about these projected overflows through a CEQA-enabled environmental review process, Catellus agreed to several

mitigation measures. The company separated the new development's stormwater from the City's system, included a state-of-the-art water filtration system at five storm-water outfalls to the Bay, created wetland habitat along a Bay-front public park, and assembled a team of consultants to evaluate the feasibility of further reducing stormwater pollutants through additional innovations.

The CEQA process allowed these measures to be agreed upon without litigation, and fostered a collaborative approach that encouraged cooperation between the developer and the environmental groups involved.

SOURCE: CEQAWORKS.ORG

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